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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
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of Minorities
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Agenda item 15

DISCRIMINATION AGAINST INDIGENOUS PEOPLES

Written statement submitted by the Indian Law Resource Centre, a non-governmental organization on the Roster

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[28 July 1994]

Ten reasons to support the draft declaration on the rights of indigenous peoples

1. The draft declaration on the rights of indigenous peoples as approved by the members of the Working Group on Indigenous Populations at its eleventh session is a very positive and useful declaration that reflects the years of study, the vast expertise and the great insight and care that have gone into its preparation. The Indian Law Resource Centre is an indigenous peoples' organization that has participated for almost 20 years in the activities of the Sub-Commission that have led up to the draft declaration. We are keenly aware of the concerns that have been expressed by States. These concerns have been debated and discussed, and they have been addressed in the draft declaration.

2. From our long experience in the field, we would like to offer a few basic observations in the form of 10 reasons for approval of the draft declaration.

1. The recognition and protection of the human rights set forth in the draft declaration are necessary to avert the destruction and permanent loss of many indigenous cultures and societies. Strong and clear standards will not only help to reduce the suffering of indigenous peoples, but will help to protect the irreplaceable cultures of indigenous peoples and guard against further loss of indigenous art, indigenous peoples' languages, and indigenous peoples' knowledge of healing arts, botany, ecology and other fields of knowledge.

2. This draft declaration is based on almost 20 years of research, study, public discussion, countless drafts and revisions, and direct participation and contributions from thousands of indigenous representatives, dozens of governments and governmental officials, and numerous human rights experts. The draft declaration is the product of years of debate, dialogue and consultation among differing points of view and differing interests.

3. Adoption of the draft declaration will encourage and promote peace. Respect for the rights of indigenous peoples will help to avert disruptions and threats to peace such as occurred earlier this year in Chiapas, Mexico, by recognizing the needs and interests of indigenous peoples and providing a legal framework by which these needs can be addressed.

4. The draft declaration and the rights it proclaims will make it possible for millions of persons to realize and enjoy basic human rights that they have been denied in practice. The draft declaration addresses the particular circumstances of indigenous peoples that result in the deprivation of basic rights.

5. The draft declaration will advance human rights for all people by declaring basic rights of groups or communities. The enunciation of some of the rights of communities or groups is a valuable step forward in the recognition and observance of basic human needs and rights.

6. Adoption of this draft declaration will help to protect the global environment.

7. The draft declaration is practical and realistic. It would not place unreasonable burdens on States, and it would not promote or encourage secession or dismemberment of States.

8. The draft declaration and the rights it proclaims are needed to correct the lingering manifestations of colonialism and the colonial era.

9. The draft declaration will help to promote economic equality and will promote sustainable development of indigenous peoples.

10. The draft declaration addresses serious problems of racial discrimination and racism in a detailed, systematic and practical way.

3. We urge the Sub-Commission to recommend approval of the draft declaration without change.

4. We also urge again that a recommendation be made to the Commission on Human Rights and to the Economic and Social Council to permit indigenous representatives to participate in consideration of the draft declaration without regard to consultative status.

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